FLEXIBLE WORKING HOURS SCHEME
<table>
<thead>
<tr>
<th>CONTENTS</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>POLICY STATEMENT</td>
<td>3</td>
</tr>
<tr>
<td>1 SCOPE</td>
<td>3</td>
</tr>
<tr>
<td>2 OPERATION OF THE SCHEME</td>
<td>4</td>
</tr>
<tr>
<td>3 THE FLEXITIME SCHEME</td>
<td>4</td>
</tr>
<tr>
<td>4 WORKING WEEK – PART TIME EMPLOYEES</td>
<td>5</td>
</tr>
<tr>
<td>5 RECORDING OF HOURS WORKED</td>
<td>5</td>
</tr>
<tr>
<td>6 SETTLEMENT PERIOD</td>
<td>6</td>
</tr>
<tr>
<td>6.1 Credit Hours</td>
<td>6</td>
</tr>
<tr>
<td>6.2 Debit Hours</td>
<td>6</td>
</tr>
<tr>
<td>7 MANDATORY BREAK</td>
<td>6</td>
</tr>
<tr>
<td>8 ANNUAL LEAVE</td>
<td>7</td>
</tr>
<tr>
<td>9 HOURS WORKED OUTSIDE THE OFFICE</td>
<td>7</td>
</tr>
<tr>
<td>10 HOURS WORKED OUTSIDE THE DISTRICT</td>
<td>7</td>
</tr>
<tr>
<td>11 OVERTIME</td>
<td>8</td>
</tr>
<tr>
<td>12 STANDBY &amp; CALLOUT</td>
<td>9</td>
</tr>
<tr>
<td>13 AUTHORISED ABSENCE</td>
<td>9</td>
</tr>
<tr>
<td>14 MEDICAL APPOINTMENTS</td>
<td>9</td>
</tr>
<tr>
<td>15 SEVERE WEATHER CONDITIONS</td>
<td>9</td>
</tr>
<tr>
<td>16 FLEXITIME LEAVE ENTITLEMENT</td>
<td>10</td>
</tr>
<tr>
<td>17 MISUSE OF THE FLEXIBLE WORKING HOURS SCHEME</td>
<td>10</td>
</tr>
<tr>
<td>18 SUSPENSION OF THE FLEXIBLE WORKING HOURS SCHEME</td>
<td>10</td>
</tr>
<tr>
<td>19 FURTHER INFORMATION</td>
<td>10</td>
</tr>
</tbody>
</table>
FLEXIBLE WORKING HOURS SCHEME

POLICY STATEMENT

Lancaster City Council is committed to providing, where practical and operationally possible, employees with a greater degree of flexibility in arranging their working hours to meet the demands of their jobs. The aim of the policy is to enable employees, whose jobs allow participation in the scheme, to consistently and effectively fulfil their service responsibilities and contracted hours of work whilst providing an element of flexibility to assist with meeting their domestic and personal commitments.

The Flexible Working Hours Scheme aims to provide flexibility by allowing some choice, with the agreement of employees’ line managers, in the start and finish times and working patterns available to employees in completing their work, whilst at the same time offering the City Council the flexibility to manage varied and fluctuating workloads. Consideration will always be given to identifying the operational viability and the volume and type of work available when assessing if a flexitime working arrangement is appropriate for a particular type of work or service.

The City Council also recognises that not all posts, owing to the nature of the type of work the employee is required to perform, will be suitable for this type of flexible working arrangement. If this is considered to be the case, the Council will try to identify, where practically possible, ways of providing an employee with some flexibility in working practices in order to ensure that basic needs connected with balancing work and home life can be accommodated.

In adopting good employment practice in relation to flexible working the Council will take a leading role by supporting flexible working practices that have the potential to reduce the amount of traffic congestion and improve general well being of both employees and residents.

1. SCOPE

The Flexible Working Hours Scheme applies to full time employees, part time employees, temporary employees and those in their probationary period unless it is withdrawn for any reason in accordance with the provisions in the Scheme. Whilst the Council will seek to maximise the number of staff to whom flexitime arrangements will apply, there will be some employees working in sections for whom flexitime cannot be made available for operational reasons.

The Council’s primary objective is to deliver quality services to the residents of the district and this must always take priority over the availability of the Flexible Working Hours Scheme. In any situation, where it is found that the business needs of the Council conflict with the operation of the Scheme, the Council reserves the right to suspend the Scheme for the employees involved.

**Note**

*Employees who find their posts are outside the scope of this policy may include those whose working patterns are not conducive to flexitime working, or those who are expected to attend regular meetings outside of normal office hours, or those who do not have contractual overtime agreements in place. In such circumstances the daily hours worked may be varied to meet the needs of the Service.*

It is vital that services to the public should not be affected by the operation of the Scheme and the Council’s normal official opening hours will continue to be maintained as **8.45 a.m. to 5.15 p.m. Monday to Friday.** Restrictions to the Scheme may be necessary to maintain cover to deal with enquiries from the public. Service Heads are responsible for ensuring
that office/reception cover during official office opening hours is maintained at all times.

**Some Services, with the approval of Management Team, will be allowed to operate a different flexible working hours scheme to the one described in this document to take into account varied operational needs. In some cases general flexible working is not available. However, the Council’s commitment to helping its employees to achieve a work life balance is a genuine one. In Services where, for operational reasons, this Scheme is not implemented, the wider principles and commitment of the Council in respect of flexibility are expected to be observed and facilitated where possible.**

2. **OPERATION OF THE SCHEME**

A senior member of staff in each Service will be responsible for the management of the Scheme. Service Heads are responsible for ensuring the smooth running of the scheme within their service, taking into account the need for office/reception cover to meet the demands of our customers, both external and internal.

The future open nature of this scheme means that it is even more important to keep an accurate record of employees’ whereabouts. Employees are responsible for ensuring that an accurate record of hours worked is kept and on the occasions when they leave the building for any reason that the usual rules in relation to recording time for health, safety and security reasons are observed. A failure to ‘sign in’ and ‘sign out’ in the required way will be treated as a serious matter.

3. **THE FLEXITIME SCHEME**

The flexitime scheme will operate to the following basis

- Full time employees who work 37 hours per week are required to work 148 hours per 4 week flexitime period
- The flexitime scheme can, where there is an operational requirement to do so, include working patterns that are based 5 days work being rostered over a 7 day working cycle.
- There is no core attendance time, however;
  - Employees must work a minimum of 3 hours on any day they attend for duty

Subject to agreement, the starting and finishing times are:

- The earliest start time an employee can start work is **07.30 a.m.**
- The latest time an employee can finish work is **07.30 p.m.**

The bandwidth of hours in any day is therefore 12 hours – because of the requirement to take a minimum 30-minute break, the maximum time an employee can work in any day is 11 hours 30 minutes.

It is not expected that any employee covered by NJC Conditions of Service will work in excess of 48 hours in a single working week

Where employees are accessing or vacating buildings outside of the standard building opening hours Service Heads must ensure that a risk assessment has been conducted and a procedure is in place to ensure the safety of employees in respect of lone working during those time periods.
• Employees working over 6 hours per day must take a minimum break of 30 minutes. This break will be expected to be taken between the hours of 11 a.m. and 3.00 p.m.

• The maximum amount of flexitime leave an employee can request to take in a 4 week settlement period is 2 days i.e. 14 hours 48 minutes - pro rata for part time employees.

The granting of requests for flexi leave will normally depend on:

• The operational needs of the Service
• The amount of time an employee has already accrued
• Satisfactory individual performance i.e. achievement of tasks/targets
• The workload of the individual/team
• Level of attendance in the previous 4 week period was as expected

Full time employees (pro-rata for part time employees) will be allowed to carry over a maximum of 12 hours credit at the end of each 4 week flexitime period. **Time in excess of 12 hours will automatically be forfeited.** Employees are also permitted to carry over a debit of flexitime of up to **minus 4 hours** at the end of a settlement period.

**To successfully and fairly implement this type of flexitime working arrangement for the benefit of the maximum number of employees, Services may, if necessary, introduce a rota system to ensure minimum staff numbers are maintained to ensure the consistent and efficient delivery of the service provided.**

4. **WORKING WEEK - PART TIME EMPLOYEES**

Part time employees who are able to participate in the Scheme must first seek the approval of this from their Service Head as to what credit and debit hours that will apply pro rata in their individual case. For example, an employee who works 18½ hours per week will only be allowed to take a maximum of 7 hours 24 minutes per flexi period and carry over a maximum of 6 hours credit or a maximum of 2 hours debit balance i.e. half the allowance of a full time employee.

5. **RECORDING OF HOURS WORKED**

All time at work should be recorded on the flexitime recording spreadsheet or manual form provided by each service (a copy of form FLEX1, is available from the Human Resources and Organisation Development Service). Employees must record accurately on this form the actual time they are at work.

The open nature of this flexitime scheme requires all breaks, for whatever reason, to be recorded on the FLEX1 record. For example this includes lunch breaks, smoking breaks, mid morning shopping or fitness training breaks and medical appointments. Where there is a statutory duty to allow time off for a medical appointment i.e. antenatal care, or the need to attend for cancer screening (NJC conditions of service refer) or where an employee is required to attend for a medical emergency, time credit will be made and authorised by the employee’s manager or supervisor.

The Council reserves the right to alter the methods used for time recording as is considered appropriate. In addition, Managers may also improve or supplement recording procedures in order to ensure that employees whereabouts are known thereby ensuring that their safety remains of paramount importance.

Managers who are responsible for authorising flexitime recording spreadsheets/forms cannot always validate the accuracy of an employee’s time personally and, therefore, every
employee is placed in a position of trust and responsibility for recording their own time on
the forms accurately.

Under no circumstances must an employee sign in or sign out for a colleague, nor should
any record be made in advance of starting and finishing times. Misuse of the Flexible
Working Hours Scheme will be treated very seriously as potentially gross misconduct and
may result in the consideration of disciplinary action including dismissal. In addition, some
instances of misuse of the Scheme may constitute fraud.

6. SETTLEMENT PERIOD

The settlement period is four weeks. At the end of every four week period employees will
be expected to have worked the required number of hours, i.e., \(4 \times 37 = 148\) hours, for full
time employees subject to the following:

6.1 Credit Hours

Employees are allowed to carry over, from one flexitime period to the next, a maximum of
12 hours (pro rata for part time employees). No more than 12 hours can be carried over
from one flexitime month to another. If employees have in excess of 12 hours credit at
the end of a settlement period, the excess will be forfeited. It is the responsibility of every
employee to manage his/her time effectively.

In most cases excess time will be automatically forfeited as indicated above, however,
Service Heads will have some discretion to allow greater amounts of carry over in situations
where there are operational problems and business needs to be met. In such cases it is
expected that Service Heads will discuss the need for the relaxation of this rule with the
Corporate Director.

There is no facility within the Scheme to transfer credit hours to time in lieu records
or for payment.

6.2 Debit Hours

The maximum carry over of debit hours from one flexitime month to another is minus 4
hours (pro rata for part time employees). If an employee is minus 4 hours in debit, they
must make arrangements with their Service Head or line manager to make up the required
time within the next settlement period. It is not envisaged that an employee will regularly
carry over debit hours from one month to the next. If an employee consistently i.e. for three
or more flexitime periods, carries over minus 4 debit hours, they can be required to ‘pay off’
the debit using annual leave. These occasions are expected to be rare rather than the norm
and regularly balancing flexitime records through the use of annual leave will not be
permitted.

Service Heads are authorised to suspend the Flexible Working Hours Scheme for any
employee who is finding it difficult to manage their time under the Scheme. In such cases,
standard working hours, based on the Council’s official opening hours will apply.

7. MANDATORY BREAKS

All employees are required to take a minimum of a 30 minute break, on any day that
they intend to work a total of 6 hours or more. It is therefore an essential feature of the
Flexible Working Hours Scheme that employees take a minimum break of 30 minutes and it
is the line managers’ responsibility to ensure that employees have access to the minimum
break allowed in the interests of health, safety and welfare.
Employees will normally be expected to take no more than 1 hour at lunch break, without first seeking authorisation from their line manager or Service Head, in advance. Authorisation to take a longer lunch break will not be unreasonably withheld.

8. **ANNUAL LEAVE**

It is anticipated that owing to the ‘open’ nature of the scheme, in future annual leave is more likely to be taken in full rather than half days. However, where an employee wishes to avoid falling into deficit within the flexitime scheme by simply recording hours actually worked on a day when only half a day is worked, the flexi record can be credited with 3 hours and 42 minutes for a half day absence and the leave entitlement reduced accordingly. The credit for a full day annual leave is 7 hours 24 minutes.

If an employee wishes to work flexibly and the hours proposed to be worked do not compromise the efficient delivery of the services provided and is agreed by the employees manager work may, for example, commence at 07.30 a.m. and finish work at 11.30 a.m. In such circumstances the employee would record 4 hours actual attendance and ‘lose’ 3 hours 42 minutes that day rather than a half-day annual leave.

The open nature of the flexitime scheme requires managers to accept responsibility for the successful administration of the scheme and for both managers and employees to be clear as to when time off is being taken as annual leave or flexitime leave.

9. **HOURS WORKED OUTSIDE THE OFFICE**

Should an employee leave the office on official business and expect to return before the end of the day, they do not need to record the time they left the office on the flexitime recording form. Employees should note that different Services have other procedures for time recording and signing in and out of the office and for reasons other than flexitime recording e.g. fire safety etc.

Where employees are in and out of the office on a regular basis, to make an adjustment on the flexitime sheet for all work related absences would be too onerous. In these cases it is for Service Heads to satisfy themselves that their local procedures for time recording are adequate and the Scheme is not open to abuse.

10. **HOURS WORKED OUTSIDE THE DISTRICT**

Business Meetings

On occasions where an employee graded SCP 28 and below is required to attend a business meeting at the request of their manager, the time taken to travel to and from the meeting may be included as part of the time during which flexitime can be accrued (i.e. part of the ‘working day’) even if this means extending the bandwidth hours on such days. This is providing that;

- There is a legitimate reason for that employee to attend the planned meeting
- The amount of ‘travelling time’ claimed is reduced by the total amount of time that an employee would have spent travelling to and from work had they been attending the normal place of work.
- Should the meeting times require an employee to travel the day before and stay overnight the accrual of flexitime is restricted to the actual time spent travelling to the place of overnight stay.

Employees graded SCP 29 and above who benefit from 3 additional days annual leave to account for such occasions are excluded from accruing flexitime for time outside of the bandwidths of 7.30 a.m. and 7.30 p.m. when attending business meetings.
Training Courses

The accrual of flexitime over and above a standard day (7 hours and 24 minutes) will not be permitted when an employee is required to attend a training course. This applies to all NJC employees regardless of grade.

11. OVERTIME

The relationship between Flexible Working Hours and Overtime

Where a manager has authorised overtime working the following points will apply:

- Employees must have worked a minimum of 37 hours per week in order to qualify to receive a premium payment for work conducted outside the standard bandwidth hours of 07.30 a.m. and 07.30 p.m. For part-time employees working less than 37 hours, additional hours will be paid at the rate of plain time until 37 hours is exceeded.

- An employee who is contractually obliged to work overtime i.e. that this is confirmed by their contract of employment, will be paid at the appropriate premium rate based on their actual rate of pay, regardless of grade and not limited to the value of SCP28. The reference to capping overtime rates at SCP 28 for employees whose substantive grade is SCP29 or above, relates to the need to work non-contractual authorised overtime.

- Overtime worked on a Monday to Saturday outside the hours listed above, will be paid at a rate of time and a half. An exception to this is for hours worked on any day between the hours of 12 midnight and 06.00 a.m. when overtime will be paid at the rate of double time.

- Any overtime worked on Sundays and Public and Extra Statutory days will be paid at double time.

- Overtime is normally only paid to those employees graded SCP 28 and below. Exceptions to this may sometimes apply. In such cases where the officer receiving overtime payments is graded SCP 29 or above, and only with the advance authorisation of the Service Head, overtime rates will be calculated on the basis of SCP 28.

- Overtime will normally only be authorised for time worked before 07.30 a.m. and after 07.30 p.m. Monday to Friday, but a Service Head is able to authorise overtime to commence (as an alternative to the accrual of flexitime) from 06.00 p.m. in circumstances where this can be justified. These occurrences are expected to be rare rather than the norm, and in all such cases the Service Head is expected to record the reasons for taking this course of action.

- In all cases the Service Head is directly responsible for ensuring that there is budgetary provision for the costs associated with the authorisation of overtime. The Council reserves the right to consider whether or not posts for which there is a regular requirement to work beyond the bandwidths provided for in this Scheme are suitable for participation in it.

Note:
As an alternative to claiming overtime, officers graded SCP 28 and below have the option to have the bandwidth times extended on the working day(s) in question. The effect of this is that these employees will have the option to be paid overtime for the work carried out or to accrue additional flexitime time outside the normal bandwidth.
12. **STANDBY AND CALLOUT**

The relationship between Flexible Working Hours and Standby and Call Out

For employees who have access to Flexible Working Hours and who are also involved in providing Standby and Callout cover, amended arrangements will apply on the days when participation in Standby and Callout is necessary.

- On a working day when an employee is participating on a Standby and Callout rota, the opportunity to accrue flexitime will be limited to the hours of 08.00 a.m. and 06.00 p.m. (rather than 07.30 a.m. and 07.30 p.m.). On such days, employees having 'clocked off' at or before 06.00 p.m. will continue to be paid a standby allowance at the agreed rate from 06.00 p.m. The standby payment will continue through the evening or night (depending on the in-service arrangement) until 08.00 a.m. the following morning, regardless of whether or not an employee has been called on to perform work.

*Note:*

It is the responsibility of managers to ensure that where extended working is planned or necessary that those employees participating in that work take the appropriate rest breaks. Advice in relation to this and the need to comply with the Working Time Directive is available from Human Resources and Organisation Development.

13. **AUTHORISED ABSENCE**

Employees who are away from work due to sickness, annual leave or attendance at college, training courses, external meetings, conferences etc., should record the reason on the flexitime recording form. A ½ day will count as 3 hours 42 minutes and a full day as 7 hours 24 minutes (pro rata for part time employees).

The maximum number of hours that can be credited for attendance on a college course, other training course, conference or external meeting is 7 hour 24 minutes. If the absence is for a ½ day then the maximum that can be recorded is 3 hours 42 minutes.

14. **MEDICAL APPOINTMENTS**

Employees attending routine medical appointments with their GP, dentist, hospital doctor, physiotherapist, are expected to do so in their own time. On days when such an appointment is arranged this means that an employee will record (and be credited for) the actual time at work.

Employees attending antenatal appointment, cancer screening appointments or appointments for a medical emergency, must inform their Service Head and will be credited for the actual time away from the office.

15. **SEVERE WEATHER CONDITIONS**

Employees who are unable to attend work due to severe weather conditions are expected to take annual leave/flexitime leave, if they are unable to get to work. If every effort to attend work is made and an employee arrives at work then they should record their actual time of arrival as the start of their day.

Only in exceptional circumstances, e.g. where large numbers of employees have been affected by widespread conditions, will time be credited because of severe weather conditions and this will usually be as a result of a report being considered by Management Team.
16. **FLEXITIME LEAVE ENTITLEMENT**

The maximum flexitime leave entitlement allowed in any one-flexitime period is up to two days (14 hours 48 minutes), pro rata for part time employees. All flexitime leave must be authorised by Service Heads or nominated senior officer, who must ensure that there are sufficient staff available to deal with the workload of the Service.

Annual leave cards are issued with the dates of flexitime periods printed on the reverse and any flexitime leave must be recorded and authorised using this card.

17. **MISUSE OF THE FLEXIBLE WORKING HOURS SCHEME**

Any employee who is found to be abusing the Flexible Working Hours Scheme may be subject to disciplinary action under the Council’s Disciplinary Policy and Procedure. Misuse of the Flexible Working Hours Scheme will be treated very seriously as it is potentially gross misconduct and may result in the consideration of disciplinary action including dismissal. In addition, some incidents of misuse of the Scheme may constitute fraud.

18. **SUSPENSION OF THE FLEXIBLE WORKING HOURS SCHEME**

Service Heads are authorised to suspend the Flexible Working Hours Scheme for any of the following reasons:

(i) Where an employee is finding it difficult to manage their time under the Scheme.
(ii) Where an employee is found to be misusing the Scheme.
(iii) Where the workload in their Service demands that fixed hours are introduced for a temporary period, as a result of either an increase or decrease in workload.
(iv) Where an employee’s attendance record is subject to a caution under the Council’s Sickness Absence Policy, for repeated and persistent short-term absence, flexitime will be suspended for the whole period of the caution.
(v) Where flexitime has been planned in advance and subsequently suspended for poor attendance then the employee must use annual leave or take unpaid leave if the leave is still required.
(vi) Substitution of annual leave for a flexi-leave day may be applied retrospectively if a flexi-leave day has been taken in the same period prior to an attendance caution being issued.

In the interests of fairness and consistency, Service Head’s considering this course of action are required to consult with Human Resources and Organisation and Development.

19. **FURTHER INFORMATION**

If you would like further guidance on the operation of the Flexible Working Hours Scheme, please contact Human Resources and Organisation Development.